

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

CURTIS HOWELL,

Plaintiff,

v.

**MASSACHUSETTS REHABILITATION
COMMISSION,**

Defendant.

**Civil Action No.
22-11030-FDS**

ORDER

SAYLOR, C.J.

Plaintiff Curtis Howell brings this action against the Massachusetts Rehabilitation Commission (“MRC”), alleging that the MRC violated federal law when it declined to provide funding for his proposed business. He is proceeding *pro se*.

On January 24, 2023, the court issued an order in which it held that plaintiff’s amended complaint failed to state a claim upon which relief can be granted. (Dkt. No. 22). The court found that the amended complaint did not allege facts from which the court reasonably infer that the MRC violated Title II of the Americans with Disabilities Act or otherwise acted in violation of federal law. The court explained that the amended complaint did not include factual allegations which, treated as true, showed that MRC treated plaintiff differently from non-disabled clients or clients without his disability, or that plaintiff required a reasonable accommodation to access the services of the MRC. The court stated that it would dismiss the action for failure to state a claim upon which relief can be granted unless, by February 21, 2023,

plaintiff filed a second amended complaint that stated a claim upon which relief could be granted.

The February 21, 2023 deadline for filing a second amended complaint passed without any response from plaintiff. On March 10 and 23, 2023, plaintiff filed two motions in which he challenges the court's adjudication of this matter. (Dkt. Nos. 23, 24).

Accordingly, this action is DISMISSED for plaintiff's failure to comply with the court's order to file a second amended complaint by February 21, 2023. The pending motions (Dkt. Nos. 23, 24) are DENIED.

So Ordered.

Dated: March 30, 2023

/s/ F. Dennis Saylor IV
F. Dennis Saylor IV
Chief Judge, United States District Court